

## LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

**for September 1, 2004 PLANNING COMMISSION MEETING**

**P.A.S.:** Prairie View Estates Community Unit Plan  
Co. Special Permit #04039, Preliminary Plat 04018

**Note:** This is a combined staff report for related items. This report contains a single background and analysis section for all items. However, there are separate conditions provided for each individual application.

**PROPOSAL:** A community unit plan and preliminary plat for five acreage residential units.

**LOCATION:** Northeast of the intersection of Highway 77/Homestead Expressway and Hickman Road.

### **WAIVER REQUESTS:**

1. Yard
2. Minimum lot area.
3. Frontage.
4. Ornamental street lighting.
5. Sidewalks.
6. Street trees.
7. Landscape screens.
8. Stormwater Detention.
9. Block length.

**LAND AREA:** 129.98 acres, more or less.

**CONCLUSION:** This is an AG Community Unit Plan, proposing to “cluster” the allowed dwelling units to five acreage lots. Waivers requested are typical of a rural subdivision and are provided for in the code. A 20% bonus is being requested. A conservation easement for the preservation of the native prairie exists on the parcel.

### **RECOMMENDATION:**

Co. Special Permit #04039  
Preliminary Plat # 04018

Conditional Approval  
Conditional Approval

Waivers

- |                      |          |
|----------------------|----------|
| 1. Yard Setbacks:    | Approval |
| 2. Minimum lot area: | Approval |

3.	Minimum frontage and setbacks	Approval
4.	Ornamental lighting	Approval
5.	Sidewalks	Approval
6.	Street trees	Approval
7.	Landscape screens	Approval
8.	Stormwater Detention	Approval
9.	Block length	Approval

### **GENERAL INFORMATION**

**LEGAL DESCRIPTION:** Lot 19 I.T. in the NW 1/4 and SW 1/4 of Section 25, T8N, R6E of the 6<sup>th</sup> P.M., Lancaster County, Nebraska.

**EXISTING ZONING:** AG Agriculture

**EXISTING LAND USE:** Native prairie with a conservation easement

**SURROUNDING LAND USE AND ZONING:** Agricultural land in AG zoning on all sides. State rest stop on the west side. Deer Trail acreage subdivision abutting along the north.

**HISTORY:** Changed from AA Rural and Public Use to AG Agriculture with the adoption of the 1979 Zoning Update. Deer Trail Addition, abutting to the north, was approved final plat in 2003. The conservation easement was approved for Comprehensive Plan conformity in 1998.

**COMPREHENSIVE PLAN SPECIFICATIONS:** The 2025 Comprehensive Plan shows this area as Environmental Resource. This is outside the Lincoln growth tiers. A cluster is permitted by special permit in the AG district. In relation to clustering and prairie in the Comprehensive Plan states:

Currently, acreage development has occurred under two development scenarios: AG - Agricultural District (minimum of 20 acres per lot) and AGR - Agricultural Residential District (minimum of 3 acres per lot) with the possibility in both AG and AGR zoning districts of clustering units together in order to preserve more open space and agricultural areas and/or receive additional density bonuses under a community unit development. The complex issue of acreage development and other public objectives requires a large array of land use strategies (pg F 70)

Acknowledge the “Right to Farm” and preserve areas for agricultural productions throughout the county by designating specific areas in advance for rural residential so as to limit areas of potential conflict between farms and acreages (pg F 70)

Retain the current overall density of 32 dwellings per square mile (20 acre) for all agriculturally zoned land. Provide for an ability to divide two 3 acre lots per “40” acre parcel with conditions and administrative review and right of appeal. This would allow more flexibility for parcel size while retaining the overall density and assist in retaining farmable units of land. (F 70)

In determining areas of higher density rural acreage (200 units or more per square mile), numerous factors will be reviewed, such as but not limited to water and rural water districts, soil conditions, roads, agricultural productivity, land parcelization, amount of existing acreages, and plans for urban or town development. Acreages should develop in areas that best reflect the carrying capacity of that area for acreages. A performance criteria should be developed to review requests for acreage zoning and to determine where these standards can best be met. (F 70)

Development of a performance standard “point system” will allow the location of higher density rural acreage development in either “AG” or “AGR” where the review criteria can be met. This allows equal treatment across the county, maximum freedom of determination of marketing and sale, while locating those developments only in those areas where sufficient “points” can be accumulated to justify the development at the requested location.” (F 71)

Lancaster County boasts a diverse set of environmental resources and landscape types that should be respected and maintained. (Pg F 51)

As a Comprehensive Plan land use category, “environmental resource features” represent an important part of today’s urban and rural landscapes. Such features need to be valued and sustained as part of the overall planning process if they are to remain as vital parts of the natural heritage left for succeeding generations. These features help to define the County’s unique sense of place — geographically, culturally, and temporally. The Plan fully recognizes the harmony and connections that exist within and between these features. (Pg F 52)

**Native Prairie** – This feature refers to the tallgrass prairie areas that are dominated by big bluestem, little bluestem, indiangrass, and sideoats grama grass species. Numerous wildflowers and forbs are also found in these prairies, including purple coneflower, purple prairie clover, and black-eyed susan. Though historically they were the region’s prevailing natural condition, native prairies are an increasingly rare feature on the Nebraska landscape. Lancaster County is fortunate to have about 8,640 acres of native prairie remaining, although they are scattered throughout the county in patches of land that must remain whole if their integrity as a natural resource feature is to continue. Nine Mile Prairie and Spring Creek Prairie are two of the larger massings of native grasslands in the county. (Pg F 52)

The “Core Resource Imperatives” uniquely contribute to the natural resource heritage of the region and whose safeguarding for future generations is indispensable. The other features remain important to the long term environmental and economic viability of the community and should not be inordinately discounted.

**Native Prairies** – Prior to the European settlement period, tallgrass prairies dominated the Nebraska landscape.

Native prairie remnants remain scattered throughout the County, providing a home to numerous grasses, wildflowers and forbs. The remaining native prairies are becoming rarer and thus are increasing in value as an ecological amenity. The prairies are a key component of the signature landscape the first Europeans encountered when they settled in Nebraska and remain a visual clue to Lincoln and Lancaster County's "sense of place." (pg F 54-55)

*Preserve ecological protection areas*

Protect areas that are biologically interconnected to support bird, animal, and insect migration and supporting vegetation. Examples are stream beds and wooded corridors, prairie land, and saline wetlands. (F56)

Develop planning guidelines, management techniques and supporting policies for preserving native prairies and grassland. For example, these areas remain healthiest when periodic burning is done to support plant regeneration. Notification to adjacent property owners of possible burnings and smoke occurrences must occur as title to property changes. Research into such issues should examine how the implementation of necessary management guidelines can best occur; particularly options for balancing the inherent needs of natural resources features (such as grasslands) with surrounding properties.

Investigate means for encouraging native prairie restoration by private entities. (F 59)

**UTILITIES:** This is in the Lancaster County Rural water district. Individual waste water treatment and well water is proposed.

**TOPOGRAPHY:** The property is rolling, draining to the north.

**TRAFFIC ANALYSIS:** Highway 77/Homestead Expressway is a State Highway. Hickman Road is paved State Spur 55-G at this location.

**PUBLIC SERVICE:** This area is served by Hickman Rural Fire District. This is in School District # 160. This is in the Norris Public Power service area.

**REGIONAL ISSUES:** Expansion of the acreage areas. Clustering to preserve farm land. Preservation of prairie.

**ENVIRONMENTAL CONCERNS:** The Historic and Ecological Resources survey show an historic trail next to this site. All of this site is native hay under a conservation easement. The soil rating is 6.83, on a scale of 1 to 10 where 1-4 are prime ag land. This is not prime land.

**AESTHETIC CONSIDERATIONS:** native prairie. Views. This development will not obstruct or encroach on the view from the state rest stop.

**ALTERNATIVE USES:** All uses allowed in the AG district. Six 20+ acre lots.

**ANALYSIS:**

1. This request is for a Special Permit for a Community Unit Plan for 5 acreage residential lots. A crushed rock public street is proposed and individual sewer and water is proposed. A 20% dwelling unit bonus is being requested for preservation of the native prairie.
2. This request is in general conformance with the Comprehensive Plan.
3. The arrangement of the lots appears to reflect the topography and drainage of the parcel. The cluster is to minimize the impact of the residential units on the prairie.
4. The Lower Platte NRD had approved the location of three dwellings within the conservation easement, anticipating 20 acre parcels. The NRD has agreed to amend the easement to allow five dwellings under the cluster concept, thus anticipating a better return for the property owner as well as less impact on the prairie.
5. The density calculations for the project are as follows;
 

129.98 acres at 1 dwelling per 20 acres	=	6.49 dwellings
20% bonus requested X 1.20	=	7.79 dwellings
		7 dwellings permitted
Requested		5 units on 5 lots
6. There were no conflicting farm uses, such as feedlots, noted in the immediate area.
7. A waiver to the minimum lot area of 20 acres is requested. This is required to accomplish the clustering to 3 acre lots. A waiver to block frontage is requested as all lots will be less than the AG requirement through the CUP approval.
8. Waivers are requested for street lights, sidewalks, block length, street trees, storm drainage and screening. These are typical waivers required, provided for and appropriate for agriculture/acreage clusters. Yards are adjusted from AG to AGR standards as part of the cluster.
9. The County Engineer's memo of July 28 notes several minor issues and corrections.
10. The Lincoln/Lancaster County Health Department memo of August 2 notes the water and waste water treatment are adequately addressed.

11. This proposal is requesting five lots. Six dwellings would be permitted if this was divided into 20 acre lots. The CUP provides for a better layout. the application of appropriate conditions and better protection for the prairie.
12. Norris Public Power has requested easements.

CONDITIONS FOR SPECIAL PERMIT #04039:

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are found to be acceptable, the application will be scheduled on the County Board's agenda: (NOTE: These documents and plans are required by resolution/ordinance or design standards.)
  - 1.1 Make the corrections requested by the County Engineer in his letter of July 28, 2004.
    - 1) Hickman Road should also be identified as State Spur 55-G.
    - 2) Prairie View Place should be noted as a private roadway on an outlot. This addition does not meet the six lot minimum to be accepted for County Maintenance. Therefore, the developer must create a homeowners association for maintenance of Park View Place.
    - 3) General Note No. 13 could be removed based on comment #2 above.
    - 4) The cul-de-sac requires dimensions.
    - 5) The radius for the intersection with Hickman Road shall be 50.00 feet.
    - 6) The typical roadway cross-section shows a granular surfacing, while the General Notes describe paving.
    - 7) Existing driveway from Hickman Road to Lot 1 shall be removed.
    - 8) A profile of Hickman Road shall be submitted showing adequate sight distance for Prairie View Place.
    - 9) A flared-end section shall be on the inlet of the proposed culvert.

10) A right-of-way dedication of 10.00 feet shall be shown on Hickman Road for a total right-of-way of 60.00 feet.

11) CUP site Note No. 10 refers to access easements that are not shown on any drawings.

- 1.2 Revise the drawing to include a signature block for the County Clerk.
  - 1.3 Revise the Plat/CUP name. A subdivision called Prairie View Estates already exists.
  - 1.4 Remove "city" from note #12.
  - 1.5 Remove "city" from the typical cross section.
  - 1.6 Resolve the name "drive" vs "place" for the street name on the roadway cross section.
  - 1.7 Provide the easements requested by Norris Public Power.
  - 1.8 Add a note regarding right - to - farm.
2. This approval permits 5 single family lots.

General:

3. Before receiving building permits:
- 3.1 The permittee is to submit a revised site plan and the plan is found to be acceptable.
  - 3.2 The permittee is to submit six prints and a permanent reproducible final site plan as approved by the County Board.
  - 3.3 The construction plans are to comply with the approved plans.
  - 3.4 The final plat(s) is/are approved by the County Board.
  - 3.5 The County Board approves associated requests:
    - 3.5.1 \_Prairie View Estates (as renamed) Preliminary Plat #04018.

3.5.2 A waiver to the sidewalk, street lights, landscape screen, stormwater detention and street tree requirements since the area is of larger lots, a rural nature and the subdivision will not be annexed.

3.5.3 A waiver to lot area, frontage and setbacks as part of the CUP.

3.5.4 A modification to the requirements of the land subdivision resolution to permit a block length in excess of 1320' along the north, south, east and west perimeter of this subdivision.

3.6 The County Engineer has approved:

3.6.1 An agreement for street maintenance.

STANDARD CONDITIONS:

4. The following conditions are applicable to all requests:

4.1 Before occupying this Community Unit Plan all development and construction is to comply with the approved plans.

4.2 Before occupying this Community Unit Plan, City/County Health Department is to approve the water and waste water systems.

4.3 All privately-owned improvements are to be permanently maintained by the owner or an appropriately established homeowners association approved by the County Attorney.

4.4 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.

4.5 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.

4.6 The County Clerk is to file a copy of the resolution approving the permit and the letter of acceptance with the Register of Deeds. The Permittee is to pay the recording fee.



CONDITIONS FOR PRELIMINARY PLAT #04018:

Site Specific:

1. After the subdivider completes the following instructions and submits the documents and plans to the Planning Department office, the preliminary plat will be scheduled on the City Council/County Board agenda: (NOTE: These documents and plans are required by ordinance or design standards.)
  - 1.1 Make the corrections requested by the County Engineer in his letter of July 28, 2004.
    - 1) Hickman Road should also be identified as State Spur 55-G.
    - 2) Prairie View Place should be noted as a private roadway on an outlot. This addition does not meet the six lot minimum to be accepted for County Maintenance. Therefore, the developer must create a homeowners association for maintenance of Park View Place.
    - 3) General Note No. 13 could be removed based on comment #2 above.
    - 4) The cul-de-sac requires dimensions.
    - 5) The radius for the intersection with Hickman Road shall be 50.00 feet.
    - 6) The typical roadway cross-section shows a granular surfacing, while the General Notes describe paving.
    - 7) Existing driveway from Hickman Road to Lot 1 shall be removed.
    - 8) A profile of Hickman Road shall be submitted showing adequate sight distance for Prairie View Place.
    - 9) A flared-end section shall be on the inlet of the proposed culvert.
    - 10) A right-of-way dedication of 10.00 feet shall be shown on Hickman Road for a total right-of-way of 60.00 feet.
    - 11) CUP site Note No. 10 refers to access easements that are not shown on any drawings.
  - 1.2 Revise the drawing to show a signature block for the County Clerk.

- 1.3 Revise the Plat/CUP name. A subdivision called Prairie View Estates already exists.
- 1.4 Remove “city” from note #12.
- 1.5 Remove “city” from the typical cross section.
- 1.6 Resolve the name “drive” vs “place” for the street name on the roadway cross section.
- 1.7 Provide the easements requested by Norris Public Power.
- 1.8 Add a note regarding right - to - farm.
2. The County Board approves associated requests:
  - 2.1 County Special Permit # 04039 for the Community Unit Plan.
  - 2.2 A waiver to the storm water detention, sidewalk, street paving, street lights, landscape screen, and street tree requirements since the area is of larger lots, a rural nature and the subdivision will not be annexed.
  - 2.3 A waiver to the lot area, setbacks and frontage.
  - 2.4 A modification to the requirements of the land subdivision ordinance to permit a block length in excess of 1320' along the north, south, east and west perimeter of this subdivision.

General:

3. Final Plats will be scheduled on the Planning Commission agenda after:
  - 3.1 Streets, water facilities if rural water, drainage facilities, temporary turnarounds and barricades, and street name signs have been completed.
  - 3.2 The subdivider has signed an agreement that binds the subdivider, its successors and assigns:
    - 3.2.1 To submit to the County Engineer an erosion control plan.
    - 3.2.2 To protect the remaining trees on the site during construction and development.

- 3.2.3 To submit to lot buyers and home builders a copy of the soil analysis
- 3.2.4 To complete the private improvements shown on the preliminary plat.
- 3.2.5 To maintain the outlots and private improvements on a permanent and continuous basis. However, the subdivider may be relieved and discharged of this maintenance obligation upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The subdivider shall not be relieved of such maintenance obligation until the document or documents creating said property owners association have been reviewed and approved by the County Attorney and filed of record with the Register of Deeds.
- 3.2.6 To relinquish the right of direct vehicular access to Highway 77 and to Hickman Road except for Prairie View Place.
- 3.2.7 To comply with the provisions of the Land Subdivision Resolution regarding land preparation.

Prepared by:

Mike DeKalb, 441-6370, [mdekalb@lincoln.ne.gov](mailto:mdekalb@lincoln.ne.gov)  
Planner  
August 17, 2004

**APPLICANT:** 3801 Harney L.L.C.  
Mark Masek, Manager  
1620 Fairfield Street  
Lincoln, NE 68521  
(402) 601 -0285

**OWNER:** 3801 Harney L.L.C.

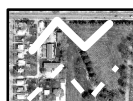
**CONTACT:** Brian D. Carstens  
Carstens and Associates  
601 Old Cheney Road, Suite C  
Lincoln, NE 68512  
434-2424



**County Preliminary Plat #04018**  
**County Special Permit #04039**  
**Praire View Estates**  
**Hwy #77 & Hickman Rd**  
**Zoning:**

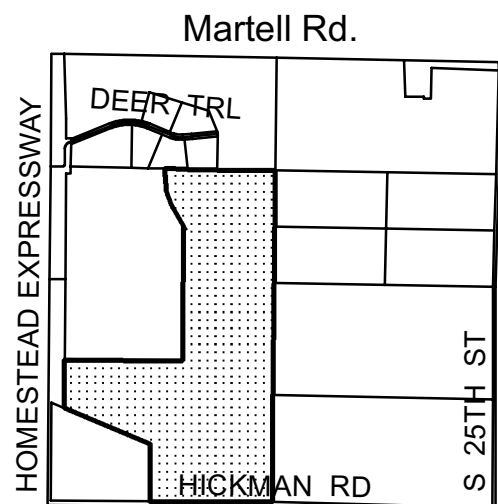
- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile  
 Sec. 25 T08N R6E



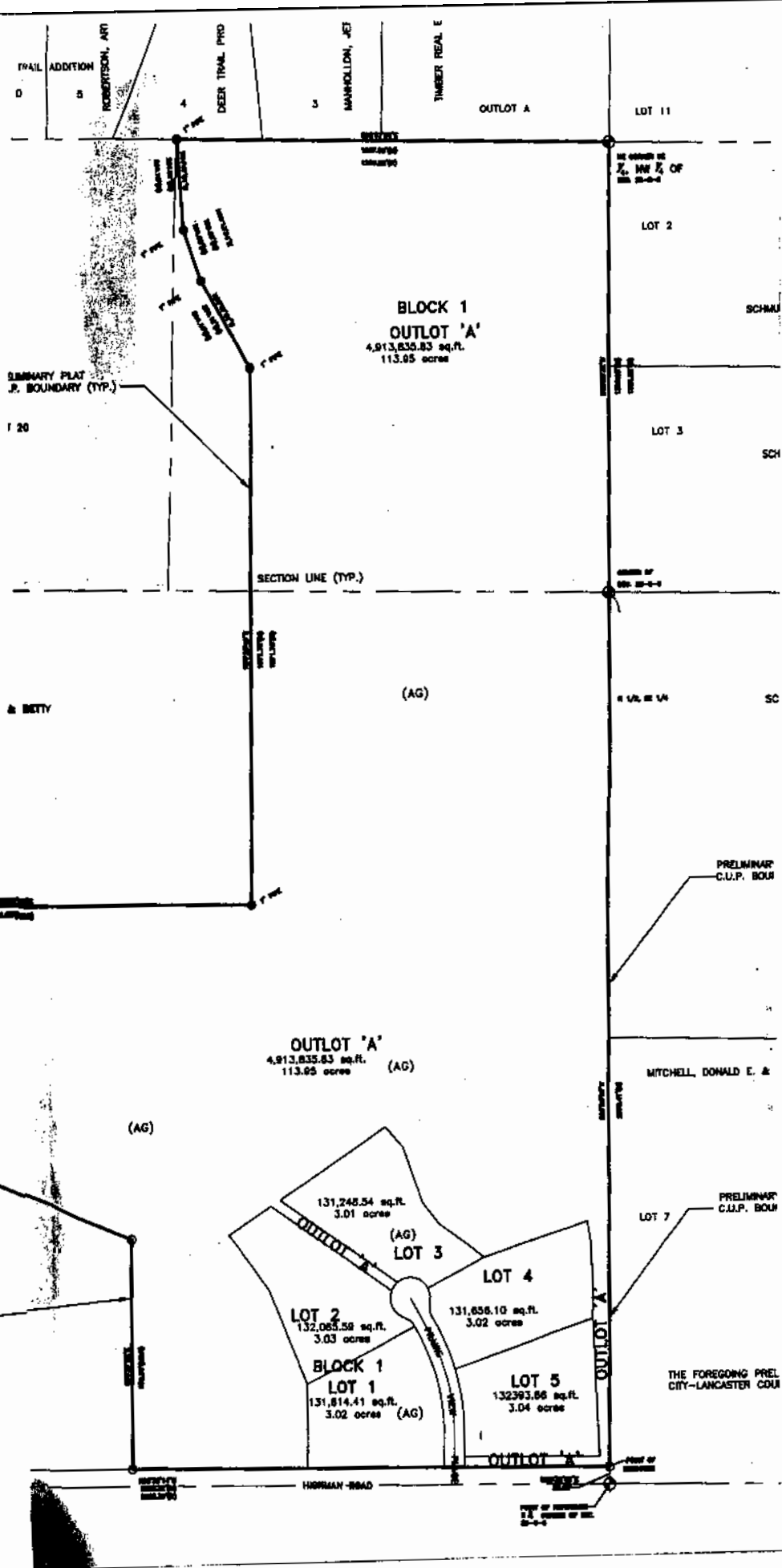
Zoning Jurisdiction Lines

City Limit Jurisdiction



**WEDNESDAY 127**

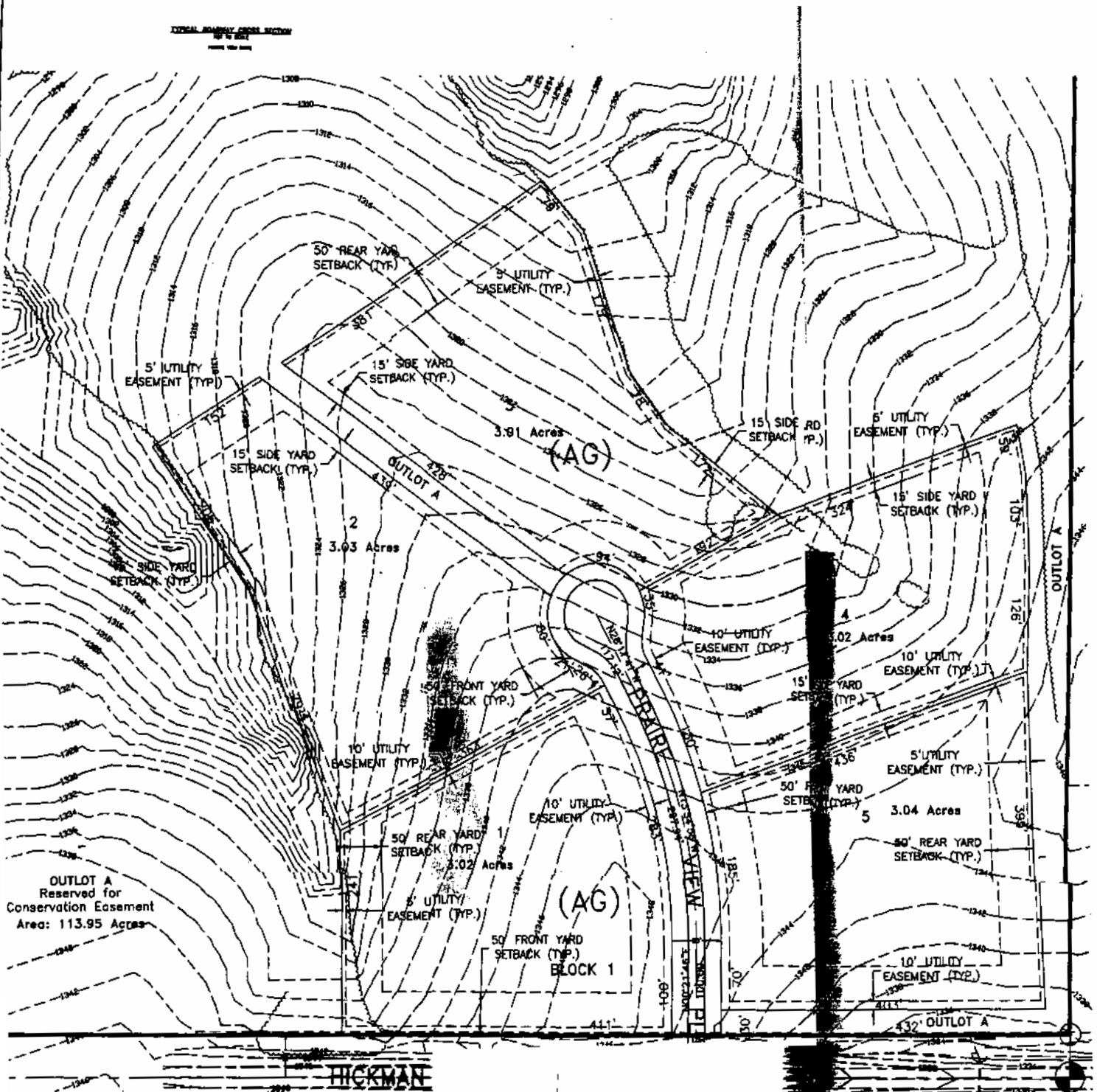
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NORTH



# ***PRAIRIE VIEW ESTATES***

## ***PRELIMINARY PLAT & C.U.P.***

***PR***  
***PR***



**County Preliminary Plat #04018**  
**County Special Permit #04039**  
**Prairie View Estates**

## GENERAL SITE NOTES

1. WATER SERVICE TO BE SUPPLIED BY INDIVIDUAL PRIVATE WELLS.
2. SANITARY SERVICE TO BE SUPPLIED BY INDIVIDUAL PRIVATE SEPTIC OR LAGOON SYSTEMS.
3. THE DEVELOPER AGREES TO COMPLY WITH THE DESIGN STANDARDS OF THE CITY OF LINCOLN FOR EROSION CONTROL AND SEDIMENTATION DURING AND AFTER LAND PREPARATION AND FURTHER TO SUBMIT A SEEDING AND MAINTENANCE SCHEDULE BEFORE SITE GRADING IS COMPLETE.
4. THE DEVELOPER SHALL INSTALL AND MAINTAIN SEDIMENT FENCES, STRAW BALE DITCH CHECKS OR OTHER MEANS OF EROSION CONTROL SATISFACTORY TO THE COUNTY ENGINEER UNTIL PERMANENT SEEDING HAS BEEN ESTABLISHED.
5. LOT DIMENSIONS ARE APPROXIMATE AND MAY VARY UP TO 10 FEET.
6. TOTAL USAGE: RESIDENTIAL ACREAGE LOTS - 5  
TOTAL BLOCKS - 1  
TOTAL LOTS - 5
7. ALL INTERSECTION ANGLES SHALL BE 90° UNLESS OTHERWISE NOTED.
8. ALL ELEVATIONS ARE BASED ON NAVD 1988 DATUM.
9. NO PORTION OF THE PROPOSED DEVELOPMENT LIES WITHIN A MAPPED 100 YEAR FLOOD PLAIN.
10. THE EXISTING ZONING IS 'AG', THE PROPOSED ZONING IS 'AG'.
11. THE DEVELOPER AGREES TO COMPLY WITH PROVISIONS OF THE LAND SUBDIVISION ORDINANCE REGARDING LAND PREPARATION.
12. STREETS TO BE PAVED SHALL MEET CURRENT CITY & COUNTY DESIGN STANDARDS. DEVELOPER SHALL NOTIFY THE COUNTY ENGINEERS DEPARTMENT PRIOR TO PAVING FOR INSPECTION. SUBGRADE TESTING IS REQUIRED. ALL TESTING SHALL BE THE RESPONSIBILITY OF THE DEVELOPER.
13. THE DEVELOPER SHALL ENTER INTO A PAVING MAINTENANCE AGREEMENT WITH LANCASTER COUNTY PRIOR TO APPROVAL OF THE FINAL PLAT.
14. ONLY ONE RESIDENTIAL ACCESS SHALL BE PERMITTED PER LOT.

## C.U.P. SITE NOTES

1. EYES, OVERHANGS, WINDOW SWINGS, DOOR SWINGS, AIR CONDITIONER UNITS ETC. CAN ENCR OACH OVER THE SETBACK LINES. ENCROACHMENTS ARE NOT ALLOWED OVER PROPERTY LINES AND MUST CONFORM TO BUILDING AND LIFE SAFETY CODE REQUIREMENTS.
2. DURING CONSTRUCTION ACTIVITIES ALL TREES OR TREE MASSES TO BE PRESERVED SHALL BE CLEARLY MARKED.
3. LOT DIMENSIONS SHOWN ARE APPROXIMATE AND CAN VARY UP TO TEN FEET.
4. ALL DIMENSIONS ALONG CURVES ARE CHORD DISTANCES.
5. DIRECT VEHICULAR ACCESS TO HICKMAN ROAD AND U.S. HIGHWAY #77 FROM ALL LOTS IS HEREBY RELINQUISHED, EXCEPT AS SHOWN
6. RIGHT-OF-WAY WIDTHS: REFERENCE TYPICAL STREET CROSS SECTIONS, AS SHOWN ON SITE PLAN.
7. PRIVATE WATER SYSTEMS TO BE REVIEWED AT TIME OF BUILDING PERMIT.
8. INDIVIDUAL SEWAGE DISPOSAL SYSTEMS LOCATION TO BE REVIEWED AT TIME OF BUILDING PERMIT.
9. DRIVEWAY CULVERTS TO BE REVIEWED AT TIME OF BUILDING PERMIT.
10. ACCESS EASEMENTS ARE FOR MAINTENANCE OF THE PRAIRIE ON THE PROPERTY
11. TOTAL USAGE:  
BASE  
5 SINGLE FAMILY LOTS  
TOTAL BLOCKS - 1  
TOTAL LOTS - 6  
6 TOTAL UNITS

OUTLOTS & USE  
OUTLOT "A" - CONSERVATION EASEMENT

LOTS & USE  
LOTS 1-5, BLK 1 - SINGLE FAMILY

**County Preliminary Plat #04018**  
**County Special Permit #04039**  
**Prairie View Estates**





Engineering Design Consultants

July 27, 2004

Mr. Mike DeKalb  
Planning Department  
City-County Building  
555 South 10<sup>th</sup> Street  
Lincoln, NE 68508

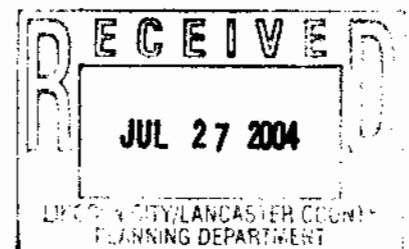
2200 Fletcher Ave.  
Suite 102  
Lincoln, NE 68521  
Ph 402-438-4014  
Fx 402-438-4026

RE: Prairie View Estates  
Waiver Requests  
EDC Job #04-014-25

Dear Mike,

The following waivers are requested for the above referenced plat:

1. A waiver is requested to Section 4.02 Lancaster County Land Subdivision Regulations that requires street and roads to continue into areas adjoining the property as the adjoining property is protected under a conservation easement and further development will not be allowed into the adjoining outlot.
2. A waiver is requested to Section 4.06 of the Lancaster County Land Subdivision Regulations that require sidewalks in pedestrian ways and on both sides of all streets as the cross section of the road will be crushed rock and gravel and pedestrian traffic for this development will be minimal and would not constitute the need for sidewalks.
3. A waiver is requested to Section 4.07 of the Lancaster County Land Subdivision Regulations requiring streets running predominantly straight north and south shall be numbered consecutively in sequence with adjacent streets. This development will not expand into more lots than have already been shown due to the conservation easement over the property and the street name of Prairie View Estates will help achieve an identity for the development.
4. A waiver is requested to not install street trees along Prairie View Estates to allow homeowners to choose the streetscape look into the development.
5. A waiver is requested to not install street lighting along Prairie View Estates as the county does not prefer to have street lighting along streets within this type of development.
6. A waiver is requested to not provide curb and gutter for Prairie View Estates as the cross section for this road is crushed rock and gravel and a ditch is required for this type of road.





Mr. Mike DeKalb  
July 27, 2004  
Page 2

The waiver to allow blocks longer than 1,320 feet in length is hereby withdrawn as this development does not have a block length that exceeds 1,320 feet.

If you have any additional questions or concerns please contact me at 438-4014 or at [jthiellen@edc-civil.com](mailto:jthiellen@edc-civil.com).

Sincerely,

Engineering Design Consultants



Jason Thiellen  
Land Planner





Engineering Design Consultants

July 20, 2004

Mr. Mike DeKalb  
Planning Department  
City-County Building  
555 South 10<sup>th</sup> Street  
Lincoln, NE 68508

2200 Fletcher Ave.  
Suite 102  
Lincoln, NE 68521  
Ph 402-438-4014  
Fx 402-438-4026

RE: Prairie View Estates  
1<sup>st</sup> Preliminary Plat - County Community Unit Plan  
EDC Job #04-014-25

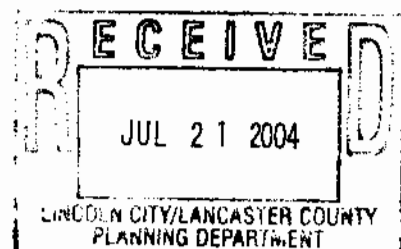
Dear Mike,

On behalf of Engineering Design Consultants client, Batie Farms Inc., we hereby submit the following applications for the above-referenced plat for review and approval per the county subdivision application process:

1. Application for a Preliminary Plat
2. Application for a County Community Unit Plan Special Permit

The preliminary plat includes the following:

3. Lots, Blocks, and Uses
  - a. Lots 1 – 5, Block 1, Single Family.
  - b. Outlot A, Open space/ protected under a conservation easement.
4. The proposed lots are located within a conservation easement protect by the Conservation and Preservation Easement Act granted by the Lower Platte South Natural Resource District. On December 17, 2003, the Board of Directors of the Lower Platte South Natural Resource District approved a motion to modify the Batie Conservation Easement to allow five (5), three (3) Acre Residential Lots arranged in a cluster, conditioned upon approval of the County Community Unit Plan (see attached minutes of meeting held on December 17, 2003 and a copy of the conservation agreement).
5. Waivers requested:
  - a. A waiver is requested to Section 4.02 that requires streets and roads to continue into areas adjoining the property as the adjoining property is protected under a conservation easement.

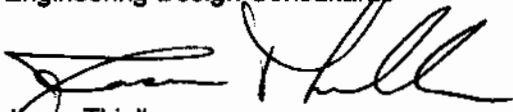


- b. A waiver is requested to Section 4.06 of the Lancaster County Land Subdivision Regulations that requires sidewalks in pedestrian ways and on both sides of all streets as the pedestrian traffic for this development will be minimal and would not constitute the need for sidewalks.
  - c. A waiver is requested to Section 4.07 of the Lancaster County Land Subdivision Regulations requiring streets running predominantly straight North and South shall be numbered consecutively in sequence with adjacent streets. This development will not expand into more lots than have already been shown due to the conservation easement over the property, the street name of Prairie View Place will help achieve an identity for the development.
  - d. A waiver is requested to Section 4.07 of the Lancaster County Land Subdivision Regulations to allow blocks longer than 1,320 feet in length.
  - e. A waiver is requested to not install street trees along Prairie View Place.
  - f. A waiver is requested to not install street lighting along Prairie View Place.
  - g. A waiver is requested to not provide curb and gutter for Prairie View Place.
6. The developer does not have an interest in any of the property surrounding the preliminary plat.

If you have any additional questions or concerns please contact me at 438-4014 or at [jthiellen@edc-civil.com](mailto:jthiellen@edc-civil.com).

Sincerely,

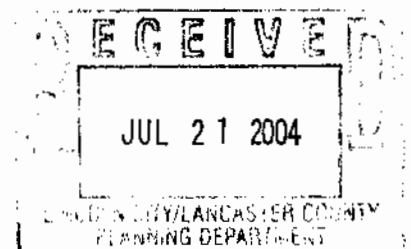
Engineering Design Consultants



Jason Thiellen  
Land Planner

Enclosed:  
13 Sets of Sheets 1 - 4  
8 copies of Sheet 2  
Check for \$850.00

c. Kim Batie



Lancaster

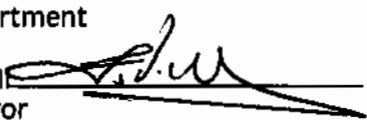
DON R. THOMAS - COUNTY ENGINEER

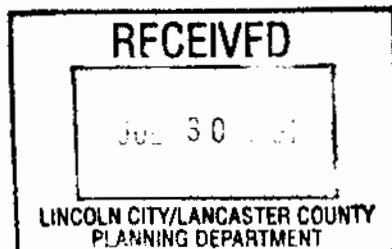
County

Engineering

Department

DEPUTY- LARRY V. WORRELL  
COUNTY SURVEYOR

**DATE:** July 28, 2004  
**TO:** Mike DeKalb  
Planning Department  
**FROM:** Larry V. Worrell   
County Surveyor  
**SUBJECT:** PRAIRIE VIEW ESTATES



Upon review, this office would have the following comments:

- 1) Hickman Road should also be identified as State Spur 55-G.
- 2) Prairie View Place should be noted as a private roadway on an outlot. This addition does not meet the six lot minimum to be accepted for County Maintenance. Therefore, the developer to create a homeowners association for maintenance of Park View Place.
- 3) General Note 13 could be removed based on comment #2 above.
- 4) The cul-de-sac does not have dimensions.
- 5) The radius for the intersection with Hickman Road shall be 50.00 feet.
- 6) The typical roadway cross-section shows a granular surfacing, while the General Notes describe paving.
- 7) Existing driveway from Hickman Road to Lot 1 shall be removed.
- 8) A profile of Hickman Road shall be submitted showing adequate sight distance for Prairie View Place.
- 9) A flared-end section shall be on the Inlet of the proposed culvert.
- 10) A right-of-way dedication of 10.00 feet shall be shown on Hickman Road for a total right-of-way of 60.00 feet.
- 11) CUP site Note No. 10 refers to access easements that are not shown on any drawings.

LVW/DP/cm  
SUBDIV.WK/Prairie View Estates Comments.Mem



AREA 2  
SERVICE CENTER

R.R. 1 BOX 56  
ROCA, NEBRASKA 68430  
402/423-3855  
FAX 402/423-8090

July 30, 2004

Mike Dekalb, Project Planner  
555 S. 10<sup>th</sup> St. #213  
Lincoln, NE 68508

RE: Prairie View Estates

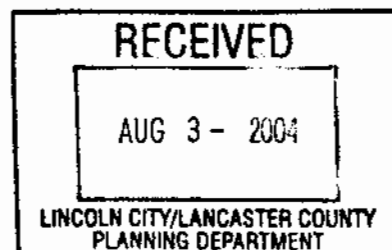
Dear Mike,

I have reviewed the subject plat and see no easements in place. I will request our standard 10' along all frontage, and 10' [ 5' each side ] on adjoining lots.

As always, thanks for your cooperation.

Sincerely,

Rick Volmer, Construction Superintendent, Area 2



**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT  
INTER-OFFICE COMMUNICATION**

<b>TO:</b> Mike DeKalb	<b>DATE:</b> August 2, 2004
<b>DEPARTMENT:</b> Planning	<b>FROM:</b> Chris Schroeder
<b>ATTENTION:</b>	<b>DEPARTMENT:</b> Health
<b>CARBONS TO:</b> EH File	<b>SUBJECT:</b> Prairie View Estates
EH Administration	PP #04018 SP #04039

The Lincoln-Lancaster County Health Department has reviewed the proposed development with the following noted:


- The owner/developer has adequately addressed on-site wastewater system issues in the general notes and CUP site notes. On-site wastewater systems will be standard sub-surface treatment, lagoons, or non-standard systems as conditions require.
- The owner/developer has adequately addressed potable water issues. Potable water be supplied by private water systems.
- All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.
- During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.

LOWER PLATTE SOUTH  
NATURAL RESOURCES DISTRICT



3125 Portia St., Box 83581, Lincoln NE 68501-3581  
(402) 476-2729 • FAX (402) 476-6454  
www.lpsnrd.org

## Memorandum

**Date:** August 17, 2004  
**To:** Mike DeKalb, Planning Dept.  
**From:**  J.B. Dixon, Stormwater Specialist, Lower Platte South Natural Resources District  
**Subject:** Prairie View Estates (SP# 04039, PP# 04018)

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We have reviewed the Preliminary Plat of the project above. The Lower Platte South NRD Board of Directors has agreed to modify the Batie Conservation Easement upon the approval of the Community Unit Plan-Prairie View Estates. In reviewing the community unit plan, the District needs to utilize that portion of Outlot A between Lots 2 & 3 for inspection and management activities as reserved for in the conservation easement. Attached are the NRD Board actions subsequent to the project and the easement.

If you have any questions, please feel free to contact me.

JBD/jbd

pc: file